

REMARKS

In the Office Action mailed April 1, 2003, the Examiner rejected all of the pending claims citing U.S. Patent Nos. 5,396,170 (D'Souza et al.) and 6,411,116 (DeHaven et al.). Applicant respectfully traverses.

Claim 1 specifically claims a plurality of DRAM dies **on the wafer** and conductive connection providing that said DRAM's **can be burned-in on the wafer**. Neither one of the cited references discloses or suggests providing such structure. The Examiner rejected the claims citing D'Souza et al. and DeHaven et al., and suggested a modification to D'Souza et al. to arrive at the present invention. Applicant respectfully submits that neither reference suggests the modification proposed by the Examiner, and respectfully submits that the Examiner has used hindsight to arrive at the invention.

The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification Here the Examiner relied upon hindsight to arrive at the determination of obviousness. It is impermissible to use the claimed invention as an instruction manual or "template"

In re Fritch, 23 USPQ 2d 1780, 1783-84 (Fed. Cir. 1992) (quoting *In re Fine*, 5 USPQ 2d 1596, 1600 (Fed. Cir. 1988)).

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Applicant respectfully submits that the claims are allowable over the prior art of record, and respectfully requests that the application be passed to issuance.

Respectfully submitted,

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